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Dated: January 25, 2005

Signature: 

(Kevin M. Kocun, Patent Agent)

IFW



Docket No.: SPINE 3.0-455 CIP CONT VII
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/781,303

Group Art Unit: 3732

Filed: February 18, 2004

Examiner: Not Yet Assigned

For: INSTRUMENTATION AND METHODS FOR
USE IN IMPLANTING A CERVICAL DISC
REPLACEMENT DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

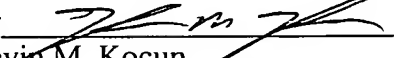
Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: January 25, 2005

Respectfully submitted,

By 
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PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/781,303
				Filing Date	February 18, 2004
				First Named Inventor	Rafail Zubok
				Art Unit	3732
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	SPINE 3.0-455 CIP CONT VII

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-2002/0123750-A1	09-05-2002	Eisermann	
	AB	US-2002/0128715-A1	09-12-2002	Bryan et al.	
	AC	US-2002/0169508-A1	11-14-2002	Songer et al.	
	AD	US-2003/0167091-A1	09-04-2003	Scharf	
	AE	US-2003/0199981-A1	10-23-2003	Ferree	
	AF	US-2003/0204260-A1	10-30-2003	Ferree	
	AG	US-2003/0233097-A1	12-18-2003	Ferree	
	AH	US-2004/0002761-A1	01-01-2004	Rogers et al.	
	AI	US-2004/0002762-A1	01-01-2004	Hawkins	
	AJ	US-2004/0030389-A1	02-12-2004	Ferree	
	AK	US-3,486,505	12-30-1969	G. M. Morrison	
	AL	US-4,997,432	03-05-1991	Keller	
	AM	US-5,122,130	06-16-1992	Keller	
	AN	US-5,258,031	11-02-1993	Salib et al.	
	AO	US-5,314,477	05-24-1994	Marnay	
	AP	US-5,674,296	10/1997	Bryan et al.	
	AQ	US-5,755,796	05/1998	Ibo et al.	
	AR	US-5,865,846	02/1999	Bryan et al.	
	AS	US-5,888,223	03-30-1999	Robert S. Bray Jr.	
	AT	US-6,001,130	12-14-1999	Bryan et al.	
	AU	US-6,039,763	03/2000	Shelokov, Alexis P.	
	AV	US-6,113,637	09-05-2000	Gill et al.	
	AW	US-6,146,421	11/2000	Gordon et al.	
	AX	US-6,214,005-B1	04-10-2001	Benzel et al.	
	AY	US-6,228,118	05/2001	Gordon, Dennis P.	
	AZ	US-6,461,359-B1	10-08-2002	Tribus et al.	
	AA1	US-6,540,785-B1	04-01-2003	Gill et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Footnote
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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Sheet	2	of	2		

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